

Applicant : Kuramitsu, et al.
Serial No. : 09/938,901
Filed : August 24, 2001
Page : 10 of 12

Attorney's Docket No.: 11283-013001 / PH-1261 US
(FA)

IN THE DRAWINGS:

Attached hereto are replacement sheets of drawings. Please substitute each of the drawings for the drawings currently on file.

The attached replacement sheets of drawings include changes to Fig. 5. Attached hereto is a marked up copy of Fig. 5 showing the changes made in red ink. A clean copy of the figure is also included with the substitute figures.

The amendments to Fig. 5 corrects an error in the sequence as clearly evident by the published sequences available to one of skill in the art (See NCBI Accession No. AAH03178). New Fig. 5 includes a Q at amino acid number 124 rather than an L.

REMARKS

These remarks are in response to the Final Office Action mailed March 24, 2004. Applicants have amended claim 32. No new matter is introduced by the amendment. The specification has been amended to include sequence identifiers in compliance with the sequence rule requirements. Replacement figures are attached hereto. Figure 5 has been amended to correct a sequence error as clearly evident by the publicly available sequences.

Applicants acknowledge the Examiner's indication that claims 1-2 and 36-37 are allowable.

I. SEQUENCE LISTING REQUIREMENT

Applicant submits herewith a Sequence Listing in computer readable form as required by 37 CFR §1.824. In addition, applicant submits a substitute Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(f) and (g).

Applicant respectfully requests entry of the paper copy and computer readable copy of the Sequence Listing filed herewith for the instant application. Please replace the original Sequence Listing with the substitute Sequence Listing filed herewith following the Drawings. In addition, Applicants have amended the specification to insert the appropriate sequence identifiers.

II. DRAWINGS

Applicants submit herewith replacement drawings to better present the PAGE gel photographs.

III. CLAIM OBJECTION

Claim 32 is objected to because of the use of "An". Claim 32 has been amended to overcome this objection.

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IV. REJECTION UNDER 35 U.S.C. §112, FIRST PARAGRAPH

Claim 32 stands rejected under 35 U.S.C. §112, first paragraph as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed, had possession of the claimed invention.

Applicants have amended claim 32. Applicants believe the amendment to claim 32 renders the rejection moot.

V. REJECTION UNDER 35 U.S.C. §102

Claim 32 stands rejected under 35 U.S.C. §102 as allegedly anticipated by White et al. Applicants respectfully traverse this rejection.

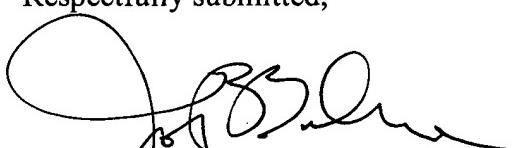
Claim 32 recites "... the amino acid sequence as set forth in SEQ ID NO:2..."
Applicants submit that White et al. do not teach SEQ ID NO:2 and therefore cannot anticipate Applicants' claimed invention. Accordingly, Applicants respectfully request withdrawal of the rejection.

Enclosed is a \$950 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Date: 9/20/04

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Respectfully submitted,


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1	I Th Mut Y	MEAWRRAATIAYREN ARP PWR	53
51	I ^{HsA} Mut Y	CDGLARQPEEVILQASVSSYHLFRDVAEVTAFRGSLISWYDQE KRDIPMRRRAEDMDID	139
51	I ^{Spo} Mut Y	MSDSNHFLDLHSYTQLEVERFRESLIQFYDKT KRILPRRKECIPPSESDPLIEDWEQPVQRLYEWLVSETM	88
1	I ^{Eco} Mut Y	MQASQFSAWLDMDK GRKTUPQ	56
1	I ^{Eco} EndIII	MNKAKRLEILTRLREN - NPHPTT - ELN - FSSPFELIAVLLSAQATDVSVNKATAKY	55

TTh	MutY	211 RRAK-----EER--LVALVLLGRKG-----VHLER[EGR-]	211 RRAK-----EER--LVALVLLGRKG-----VHLER[EGR-]
Hsa	MutY	337 QTLGV---VNFPRKASRKPREESSATCYLEQPG-----LGAQIL[VORPNSG]	337 QTLGV---VNFPRKASRKPREESSATCYLEQPG-----LGAQIL[VORPNSG]
Spo	MutY	277 EDLQNWWVARYPVHPAKTKQRE-ERALWVFQKTDPSTEKFLLRKRPSAGL-----LAGLWDFPTIEFGESWPKDMDAFLQKSIAQWISNDRSLSLIKYQSR	277 EDLQNWWVARYPVHPAKTKQRE-ERALWVFQKTDPSTEKFLLRKRPSAGL-----LAGLWDFPTIEFGESWPKDMDAFLQKSIAQWISNDRSLSLIKYQSR
Eco	MutY	226 QTL-----PER---TGYFLLLQH-----EDEVLLAQRPPSGI[wggy]YCPQFAD[EES]	226 QTL-----PER---TGYFLLLQH-----EDEVLLAQRPPSGI[wggy]YCPQFAD[EES]
Eco	EndoIII	206 -----K-----EKVDI	206 -----K-----EKVDI

Tth	MutY	267	GEVRHA[THRLR-	VEMR-GAI[EGEGEDPMWKR--LPKLMERKVLRKA]	[LAH-	-AGVYPLPDA	325
Hsa	MutY	426	GEWMHTFSIKLTQVYGLALEGQTPTVTPPGARL	TQEFFFHTAAVSTAMKKVFR[QVSSP-SRKPRMGQWLDNFFRSI[SIAHSLSAAQ	[QOQQP GTMGSKRSQVSSP-SRKPRMGQWLDNFFRSI[SIAHSLSAAQ	535	
Spo	MutY	376	GRYLH[FSIRKTSHFYAIAS--PDIVTNEDFFITSQSDLEHVGNC--ELGLKINRAAEIKRK-	--VTSLSN-	-FKEPKUTSARRIVTAEC	461	
Eco	MutY	288	TAFTHTFSFHLD--IMP	-LLQQLRGTGAPV	-LLQQLRGTGAPV	350	

Tth (*Thermus thermophilus* HBB). Hsa (*Homo sapiens*). Spo (*Schizosaccharomyces pombe*). Eco (*Escherichia coli*)
 # Residue essential for N-glycosylase activity * Residues constituting an iron-sulfur cluster

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EIG